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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,186	06/26/2003	Cezary Marcjan	MS301534.01/MSFTP685US	7627
27195 7590 10/03/2008 AMIN, TUROCY & CALVIN, LLP 127 Public Square 57th Floor, Key Tower CLEVELAND, OH 44114			EXAMINER MURRAY, DANIEL C	
			ART UNIT 2143	PAPER NUMBER
			NOTIFICATION DATE 10/03/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
lpasterchek@thepatentattorneys.com

Office Action Summary	Application No. 10/609,186	Applicant(s) MARCJAN, CEZARY	
	Examiner DANIEL C. MURRAY	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>24 JUL 2008</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on 20JUN2008. **Claims 1-21** are now pending in the present application. **This Action is made FINAL.**

Information Disclosure Statement

2. The information disclosure statements submitted on 24JUL2008 have been considered by the Examiner and made of record in the application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 3, 6-10, and 12** are rejected under 35 U.S.C. 102(e) as being anticipated by

Kenyon et al. (US Patent # US 6,792,430 B1).

a) Consider **claims 1 and 10**, Kenyon et al. clearly show and disclose, a method and computer readable media for a context association system for forming context associations between first and second objects that are stored in computer memory and are associated with each other based on user computer interactions (abstract, column 1 lines 7-9 lines 46-49, lines 54-67, column 2 line 1, column 4 lines 3-8, column 5 lines 26-29), a method of sharing computer objects, comprising:

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storing association information relating to one or more associations (column 4 lines 3-8, column 7 lines 10-15) between a selected object in a first computer space and one or more first objects in the first computer space, wherein the association information is determined automatically based upon prior interactions between the user and the objects in the first computer space (abstract, column 2 lines 14-24, column 3 lines 31-40, column 4 lines 11-23 lines 28-36, column 5 lines 26-30, column 6 lines 59-66, column 7 lines 16-24), and wherein the objects are at least one of files, applications, contacts or communications (digital information objects, documents, files)(abstract, column 1 lines 7-9 lines 46-49 lines 66-67, column 2 line 1, column 4 lines 3-6, column 8 lines 32-36); sharing the selected object (documents, emails, shared network files)(column 8 lines 32-36) from the first computer space with a second computer space, the second computer space including one or more of the first objects; identifying in the second computer space the one or more first objects (column 1 lines 62-65, column 3 lines 34-40, column 5 lines 14-29, column 7 lines 10-15, column 6 lines 59-66); and automatically sharing from the first computer space with the second computer space the one or more associations (inherent from the teachings of Kenyon et al. since keywords defining overlays (i.e. associations) are contained in the document and they are transferred with the document when shared and the overlay is downloadable and can be made available globally)(column 5 lines 14-29, column 6 lines 59-66, column 7 lines 10-15) in the first computer space between the selected object and the first objects in the second computer space.

b) Consider **claim 3 and 12**, and **as applied to claim 1 and 10 above**, Kenyon et al. clearly show and disclose one or more associations between the selected object in the first computer space and the one or more first objects in the first computer space include an indirect association between the selected object and a particular first object, the indirect association including a direct association between the selected object and an intervening first object and a direct association between the

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intervening first object and the particular first object (inherent from the teachings of Kenyon et al. since overlays are created which include concepts described by keywords and linked to objects which may in turn be linked to other concepts through similar association, thus it is possible for objects to be linked both directly and indirectly through their associations)(abstract, column 1 lines 46-49 lines 62-65, column 2 lines 52-54 lines 60-67, column 3 lines 1-10 lines 21-24, column 7 lines 4-24).

c) Consider **claim 6**, and **as applied to claim 1 above**, Kenyon et al. clearly show and disclose the selected object and the first objects include computer files (digital information objects, documents, files)(abstract, column 1 lines 7-9 lines 46-49 lines 66-67, column 2 line 1, column 4 lines 3-6, column 8 lines 32-36).

d) Consider **claim 7**, and **as applied to claim 1 above**, Kenyon et al. clearly show and disclose at least one of the first and second computer spaces corresponds to a computer memory store (inherent from the teachings of Kenyon et al. since a memory would be required to store WWW sites, emails, local documents, shared network files, presentation program files, spread sheets etc.) (column 8 lines 32-41).

e) Consider **claim 8**, and **as applied to claim 1 above**, Kenyon et al. clearly show and disclose at least one of the first and second computer spaces corresponds to an accessible space of computer objects (abstract, column 1 lines 46-65, column 2 lines 52-54, column 8 lines 32-36) that are accessible by a user.

f) Consider **claim 9**, and **as applied to claim 1 above**, Kenyon et al. clearly shows and disclose the sharing includes copying the selected object from the first computer space to the second computer space (column 7 lines 10-15, column 8 lines 32-41).

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claims 2, 5, 11, and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kenyon et al. (US Patent # US 6,792,430 B1)** in view of **Batty et al. (US Patent # US 6,223,212 B1)**.

a) Consider **claims 2 and 11**, and **as applied to claims 1 and 10 above**, Kenyon et al. clearly show and disclose storing in the first computer space association information relating to an association between the selected object and the second computer space (column 4 lines 3-8, column 7 lines 10-15) However, Kenyon et al. does not specifically disclose determining whether the association between the selected object and the second computer space is of an extent greater than a predetermined threshold; wherein the selected object is shared from the first computer space with

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the second computer space upon a determination that the association between the selected object and the second computer space is of an extent greater than the predetermined threshold.

Batty et al. discloses determining whether the association between the selected object and the second computer space is of an extent greater than a predetermined threshold (figure 2, column 2 lines 45-56, column 4 lines 8-18); wherein the selected object is shared from the first computer space with the second computer space upon a determination that the association between the selected object and the second computer space is of an extent greater than the predetermined threshold (column 2 lines 56-61).

Therefore, it would have been obvious to one of ordinary skill in the art that the time the invention was made to incorporate the teachings of Batty et al. into the system of Kenyon et al. for the purpose of coordinating the sharing of an application with multiple computer systems (column 2 lines 42-44).

b) Consider **claims 5 and 14**, and **as applied to claims 1 and 10 above**, Kenyon et al. show and disclose the claimed invention. However, Kenyon et al. does not specifically disclose that at least one of the one or more associations is unidirectional between the selected object the one of the first objects.

Batty et al. show and disclose that one or more associations are unidirectional (Batty et al., figure 1, column 3 lines 66-67, column 4 lines 1-3 lines 33-40, column 5 lines 21-23) between the selected object the one of the first objects.

Therefore, it would have been obvious to one of ordinary skill in the art that the time the invention was made to incorporate the teachings of Batty et al. into the system of Kenyon et al. for the purpose of determining control over an application (column 4 lines 33-40).

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1. **Claims 4 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kenyon et al. (US Patent # US 6,792,430 B1)** in view of **Batty et al. (US Patent # US 6,223,212, B1)** as applied to **claims 3 and 12** above, and further in view of **Hatori (US Patent Publication # US 2003/00221122 A1)**.

a) Consider **claims 4 and 13**, and as applied to **claims 3 and 12 above**, Kenyon et al. as modified by Batty et al. clearly shows and discloses the claimed invention except automatically sharing from the first computer space with the second computer space the intervening first object, together with the direct association between the selected object and the intervening first object and the direct association between the intervening first object and the particular first object.

In the same field of endeavor, Hatori clearly shows and discloses a file sharing service (abstract, paragraph [0004], [0005], [0010]) that allows downloading files (paragraph [0053] paragraph [0054]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Hatori into the teachings of Kenyon et al. as modified by Batty et al. for the purpose of sharing the intervening object together with the direct association between the first object and the particular object. Such a feature would have made the system of Kenyon et al. more efficient by not only sharing the indirect association between the first object and particular object but also sharing the intervening object and the direct associations between the first object and particular object that cause the indirect association to be made.

8. **Claims 15-17 and 19-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kenyon et al. (US Patent # US 6,792,430 B1)** in view of **Hatori (US Patent Publication # US 2003/00221122 A1)**.

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a) Consider **claim 15-17 and 19-21**, Kenyon et al. clearly show and disclose, a context association system for forming context associations between first and second objects that are stored in computer memory and are associated with each other based on user computer interactions (abstract, column 1 lines 7-9 lines 46-49, lines 54-67, column 2 line 1, column 4 lines 3-8, column 5 lines 26-29), a method and computer readable media, comprising: instructions for storing association information relating to one or more associations (column 4 lines 3-8, column 7 lines 10-15) between a selected object in a first computer space and a second computer space, wherein the association information is determined automatically based upon prior interactions between the user and the objects in the first computer space (abstract, column 2 lines 14-24, column 3 lines 31-40, column 4 lines 11-23 lines 28-36, column 5 lines 26-30, column 6 lines 59-66, column 7 lines 16-24), and wherein the objects are at least one of files, applications, contacts or communications(digital information objects, documents, files)(abstract, column 1 lines 7-9 lines 46-49 lines 66-67, column 2 line 1, column 4 lines 3-6, column 8 lines 32-36); instructions for initiating sharing of the selected object (documents, emails, shared network files)(column 8 lines 32-36) from the first computer space with the second computer space; and automatically sharing from the first computer space with the second computer space an association (inherent from the teachings of Kenyon et al. since keywords defining overlays (i.e. associations) are contained in the document and they are transferred with the document when shared and the overlay is downloadable and can be made available globally)(column 5 lines 14-29, column 6 lines 59-66, column 7 lines 10-15) in the first computer space between the selected object and a first object that is in both the first computer space and the second computer space. However, Kenyon et al. does not specifically disclose instructions for determining whether the association of the selected object with the second computer space is of an extent greater than a predetermined threshold; sharing the selected object from the first computer

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space with the second computer space if the association of the selected object with the second computer space is of an extent greater than the predetermined threshold and interfering with the sharing of the selected object with the second computer space if the association of the selected object with the second computer space is not of an extent greater than the predetermined threshold.

Hatori shows and discloses file sharing service in which the sharing of files is terminated/disabled bases upon a predetermined security level (i.e. threshold) wherein the service determines whether the association of the selected object with the second computer space is of an extent greater than a predetermined threshold (abstract, paragraph [0010] lines 1-7 lines 13-17, paragraph [0012], paragraph [0013], paragraph [0021]); and interferes with the sharing of the selected object with the second computer space if the association of the selected object with the second computer space is not of an extent greater than the predetermined threshold (abstract, paragraph [0010] lines 1-7 lines 13-17, paragraph [0012], paragraph [0013], paragraph [0021]).

Therefore, it would have been obvious to one of ordinary skill in the art that the time the invention was made to incorporate the teachings of Hatori into the system of Kenyon et al. for the purpose of interfering with the sharing of a selected object based on a predetermined threshold for security reasons (paragraph [0021]). Such a feature would have made the overall system of Kenyon et al. more secure by limiting access based on a predetermined threshold.

9. **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Kenyon et al. (US Patent # US 6,792,430 B1)** in view of **Hatori (US Patent Publication # US 2003/00221122 A1)** and further in view of **Batty et al. (US Patent # US 6,223,212, B1)**.

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a) Consider **claim 18**, and **as applied to claim 17 above**, Kenyon et al. as modified by Hatori. However, Kenyon et al. as modified by Hatori does not specifically disclose that the association is unidirectional between the selected object the first object.

Batty et al. show and disclose that one or more associations are unidirectional (figure 1, column 3 lines 66-67, column 4 lines 1-3 lines 33-40, column 5 lines 21-23) between the selected object the one of the first objects.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Batty et al. into the system of Kenyon et al. as modified by Hatori for the purpose of determining control over an application (column 4 lines 33-40).

Response to Arguments

10. Applicant's arguments filed 20JUN2008 have been fully considered but they are not persuasive.

Applicant argues Kenyon et al. fails to teach "...objects in the first computer space, wherein the association information is determined automatically based upon *prior* interactions between the user and the objects in the first computer space, and sharing the selected object..."

The Examiner respectfully disagrees; Kenyon et al. clearly discloses association information is determined automatically based upon *prior* (i.e. already encountered, generated in the past) interactions between the user and the objects in the first computer space, and sharing the selected object (abstract, column 2 lines 14-24, column 3 lines 31-40, column 4 lines 11-23 lines 28-36, column 5 lines 26-30, column 6 lines 59-66, column 7 lines 16-24)

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Applicant argues: "... it is erroneously contended on page 9 of the subject Office Action that Hatori discloses a file sharing device." and that Kenyon et al. modified Batty et al. and as further modified by Hatori fail to teach "automatically sharing from the first computer space with the second computer space the intervening first object, together with the direct association between the selected object and the intervening first object and the direct association between the intervening first object and the particular first object as recited in claims 4 and 13."

The Examiner respectfully disagrees; Hatori clearly discloses a file sharing device (paragraph [0004], [0005]) that is capable of supporting a file sharing service for the purpose of sharing files therefore it is a file sharing device. Furthermore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that if a necessary file needed to be transferred (i.e. an intervening file) that one would come to the conclusion to transfer said necessary file using a file sharing device/service.

Applicant argues Kenyon et al. modified Batty et al. and as further modified by Hatori fail to teach "interfering with the sharing of the selected object with the second computer space if the association of the selected object with the second computer space is not of an extent greater than the predetermined threshold as recited by the subject claims."

The Examiner respectfully disagrees; Hatori clearly discloses a file sharing system (see arguments above)(abstract, paragraph [0004], [0005], [0010]) in which the sharing of files is terminated/disabled bases upon a predetermined security level (i.e. threshold) wherein the service determines whether the association of the selected object with the second computer space is of an extent greater than a predetermined threshold (abstract, paragraph [0010] lines 1-7 lines 13-17, paragraph [0012], paragraph [0013], paragraph [0021]); and interferes with the sharing of the selected object with the second computer space if the association of the selected object with the second

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computer space is not of an extent greater than the predetermined threshold (abstract, paragraph [0010] lines 1-7 lines 13-17, paragraph [0012], paragraph [0013], paragraph [0021]). In other words, if association of the selected object with the second computer space is not of an extent greater than the predetermined threshold (i.e. security level) then the system interferes with the sharing of the selected object with the second computer space (i.e. the sharing of files is terminated or disabled).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 7,343,365 B2	US 2005/0177805 A1	US 6,487,556 B1
US 2005/0138067 A1	US 2005/0137996 A1	US 6,731,927 B1
US 7,209,928 B2	US 2003/0164856 A1	US 7,305,402 B2
US 7,395,260 B2	US 7,162,473 B2	US 7,277,879 B2
US 7,421,421 B2	US 6,598,054 B2	5,812,134
US 2002/0138477 A1	US 2002/0107859 A1	5,644,740
US 2003/0073056 A1	US 2003/0130995 A1	US 7,376,748 B1
6,052,121	US 2002/0178436 A1	

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL C. MURRAY whose telephone number is 571-270-1773. The examiner can normally be reached on Monday - Friday 0800-1700 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on (571)-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DCM/

Examiner, Art Unit 2143

/George C. Neurauter, Jr./

Primary Examiner, Art Unit 2143